

REMARKS

In the Office Action mailed from the United States Patent and Trademark Office on December 21, 2005, the Examiner rejected claim 17 under 35 U.S.C. §112, second paragraph, and rejected claims 1-10, 12-17, 20-21, 24-29 and 33-39 under 35 U.S.C. §103(a) as being unpatentable over “1001 Windows 98 Tips” (hereinafter “Jamsa”) in view of Luman (United States Patent No. 6,700,678, hereinafter “Luman”). Accordingly, Applicant respectfully provides the following:

Rejection under 35 U.S.C. § 112

The Examiner rejected claim 17 under 35 U.S.C. §112 second paragraph. Applicant respectfully submits that the amendments provided herein overcome the rejection made by the Examiner under 35 U.S.C. §112, second paragraph.

Rejections under 35 U.S.C. §103

The Examiner rejected claims 1-10, 12-17, 20-21, 24-29, and 33-39 under 35 U.S.C. §103(a) as being unpatentable over Jamsa in view of Luman. Applicant respectfully submits that the claim set as provided herein is not made obvious by the cited references.

The standard for a Section 103 rejection is set for in M.P.E.P 706.02(j), which provides:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

Applicant respectfully submits that the references cited by the Examiner do not teach or suggest the limitations claimed in the present invention. In particular, independent claim 12

recites a method for managing a print job without use of a print server, the method comprising: initiating a print job at a first client computer device, wherein the first client computer device is one of the client computer devices connected to the printing device via the network, and wherein no print server is connected to the network; placing the print job on a print queue; distributively managing the print job and a prioritization of the print job until print data of the print job is despoiled to the printing device, wherein said distributively managing the print job and a prioritization of the print job comprises: broadcasting information about the print job to a plurality of said client computer devices; and determining which one or more of the plurality of client computer devices shall be used to manage the print job; despooling the print data to the printing device to render the print job; and updating the print queue. Independent claims 1 and 28 include similar limitations. Such limitations are supported by the disclosure as originally filed.

In contrast, the references cited by the Examiner do not teach or suggest such limitations, alone or in combination. And, since the references cited by the Examiner do not teach or suggest each and every limitation of the independent claims, Applicant respectfully submits that the prior art references do not make obvious independent claims 1, 12 or 28. Further, since the prior art references do not make obvious the independent claims, Applicant respectfully submits that the prior art references cited by the Examiner do not make obvious the corresponding dependent claims.

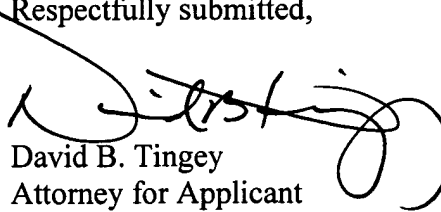
Thus, Applicant respectfully submits that for at least the reasons provided herein, the claim set as provided herein overcomes all rejections made by the Examiner in the Office Action.

CONCLUSION

Applicant submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

DATED this 21st day of April, 2006.

Respectfully submitted,



David B. Tingey
Attorney for Applicant
Registration No. 52,289

KIRTON & McCONKIE
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 321-4814
Facsimile: (801) 321-4893

DBT:lc

::ODMA\PCDOCS\DOCS\870646\1